
Report of Corporate Management Team

Report of Kevin Lough, Occupational Health and Safety Manager.

Electoral division(s) affected:

1. Countywide.

Purpose of the Report

2. To provide an update on the council's Health, Safety and Wellbeing (HSW) performance for Quarter 3 2020/21.

Executive summary

3. Health and Safety (H&S) and Occupational Health Services (OHS) continue to provide significant organisations support and interventions in relation to the COVID pandemic. A continuation of employee risk assessments, safe working procedures, employee testing and compliance related advice. OHS screened in excess of 350 employees requiring COVID tests via CDDFT and received significant numbers of queries relating to the introduction of stricter lockdown and Tiered restrictions during the quarter.
4. A total of 34 COVID assurance audits were undertaken in Council premises during quarter three. The audits predominantly focused on premise related control measures which are required in accordance with government guidance. Assurance auditing resulted in a 96.43% compliance rate overall. Actions have been taken to address the issues identified during the assurance audits to ensure compliance.
5. Members of the H&S team continued to provide technical advice, support and guidance throughout Quarter three and in response to the increased restrictions and associated changes to workplace and work activity guidance. This again resulted in safe working procedures being reviewed and risk assessments being revised.
6. Several schools across the county were audited by HSE inspectors in relation to their COVID secure arrangements and risk control. The outcomes of these were positive and compliance evidenced by inspectors.
7. A revised approach and additional intervention was introduced during this quarter which involved more widespread mandatory use of face coverings in workplaces, vehicles and public facing roles. guidance and advice to be provided and risk assessments amended for work activities.

8. There were continued challenges in relation to educational settings and the requirement to revise risk assessment and guidance following introduction of additional restrictions. The H&S team worked with public health and education colleagues to ensure that control measures and interventions were up to date and consultation with teaching trade unions continued positively.
9. Emphasis was again been placed during quarter three on employee mental health and wellbeing, although the likelihood of some faded introduction of employees back into some workplaces following work in quarter two was reduced following restrictions being introduced. Several surveys were prepared and undertaken to establish the organisational demands and expectations regarding returning to workplaces and what an extended period of homeworking would present in terms of challenges and opportunities.
10. Incident statistics show a small increase overall for the quarter which and overall a significant reduction for the year so far, which is reflective of restricted service provision and working from home arrangements. It was positive to note that RIDDOR reportable accidents decreased during this quarter.
11. There were six fire related incidents during Quarter three across a range of premises and locations. which were effectively dealt with by existing fire protection systems and employee interventions. There were no injuries to employees or service users, however some minimal damage to property.

Recommendation(s)

12. That Audit Committee note and agree the contents of this report.

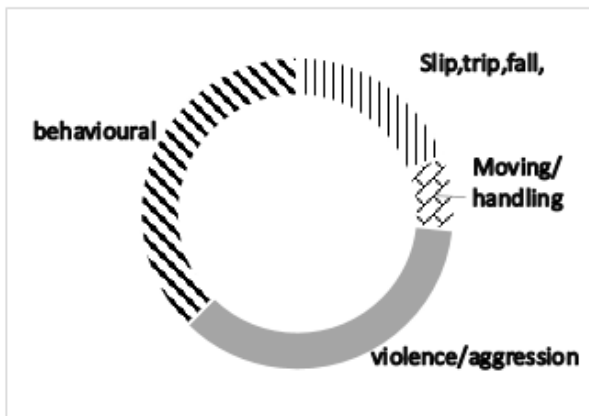
242

Accidents, incidents and near misses reported
 (208 in Q2 2020/21
 94 in Q1 2020/2021
 404 in Q4 2019/20)



95%
 Of all reported accidents are either no injury or near miss

Main Accident/Incident Causes



3 RIDDOR 'specified' injury, and 6 over 7 days absence RIDDOR injuries

339 employees screened for COVID testing
120 Tests provided



• Better Health at Work Continuing Excellence Award *Achieved*



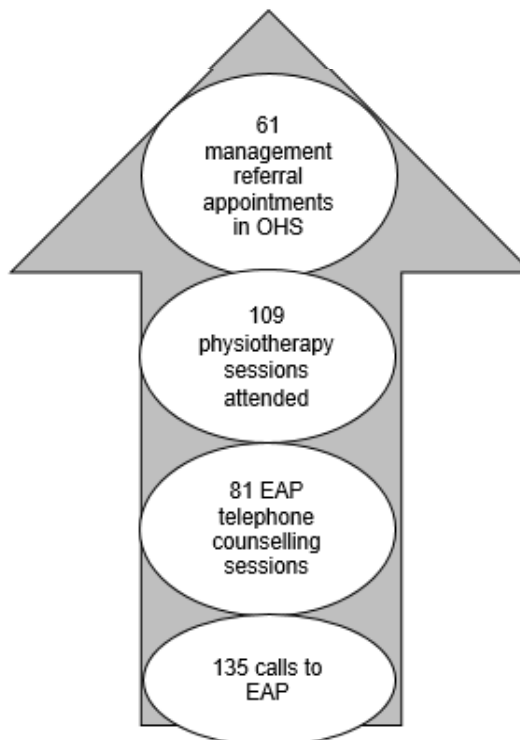
17 psychological work related incidents in Q3 2020/21, compared to
 - 17 in Q2 2020/2,
 - 30 in Q1 2020/21,
 - 52 in Q4 2019/20,

6 fire related incidents  5 CDDFRS inspections of council premises



821 COVID related contacts with OHS for advice and support

0 Enforcement related actions or advice from HSE/CDDFRS following inspections and audit activity



COVID 19 H&S Update

13. There were significant changes to the COVID tier levels during Quarter three and as a result, changes to COVID related guidance. The County went into the highest COVID tier level which superseded a November lockdown. This resulted in a review of COVID secure arrangements, working from home restriction and those who were in operational sites. Updated technical advice and support was provided to ensure work activities were undertaken as safely as possible with transmission related risks controlled effectively.
14. As a result of COVID vaccinations being licensed and the roll out of testing, preparatory work was undertaken in the quarter to identify employee cohorts who would be eligible when testing and vaccination intervention became available.
15. The OHS service continued to lead on the process of employee testing and worked in partnership with CDDFT to provide this service. During Quarter three, more than 350 employees were screened in OHS prior to a test being arranged or not, with 66% (232) being advised to take a test via CDDFT. Approximately 20% (45) of those employees tested returned a positive COVID result. An alternative process for employee testing was identified for the post-Christmas period to ensure that delays in results were not experienced and to enable employees from the occupational health services at DCC and CDDFT to take some holiday leave. A significant number of queries continued to be received in OHS during the quarter, with clinical advice and guidance being provided, particularly relating to shielding, vulnerable persons, and isolation criteria.
16. In terms of additional interventions regarding A-symptomatic spread of coronavirus, a revised approach to use of face coverings was agreed by CMT during this quarter. A mandatory requirement to wear face coverings in shared vehicles, communal areas of all council premises and front facing public/customer service roles was adopted and communications went out to all employees regarding this.
17. The H&S team continued to work proactively to ensure that service groupings were provided with updated advice and risk assessments following changes to COVID related guidance. Extensive work was undertaken to ensure that revised risk assessments were in place following the changes to the Tier risk levels in December 2020.
18. The H&S team created a self-audit tool during the quarter and this was distributed to premises which remained open and accessed by employees. In total 34 COVID assurance audits were completed and returned to the H&S team for analysis and further action where appropriate. The audits predominantly focused on premise related control measures which are required in accordance with government guidance. Assurance auditing resulted in a 96.43% compliance rate overall. Areas for action included improvement to one way systems, floor markings, sneeze guard installation and directional signage. Actions have been taken with premise managers and responsible persons to address the issues identified during the assurance audits to ensure compliance.

19. Additional work continued to be undertaken to support employees who were continuing to work from home. In addition to leadership communications relating to employee health and wellbeing, the employee health and wellbeing group also identified additional actions and interventions to support and guide employees.

Fire Incidents

20. There were six fire related incidents at Council premises or staffed premises or on-board Council vehicles during Quarter three. These were at:
 - Brandon Community Primary School
 - North Lodge Chester le Street
 - Morrison Busty Depot
 - Catchgate Primary School
 - West Rainton Children's Unit
 - Flat 7 Charles Dickens Lodge Barnard Castle

Brandon Community Primary School

21. It was reported that the schools fire detection and warning system activated at 01:11am on 18 October and the fire service were called via the alarm receiving centre (ARC) who monitor the school's intruder and fire alarm during unoccupied hours. In addition, the school is fitted with a fire alarm system to an L2 standard and fitted with sprinklers.
22. The fire service attended the school at 01:25am the same day and it was discovered that there was a fire within the internal parts of a refrigeration unit within the school kitchen. As the fire was kept within the housing of the refrigeration unit and did not develop any further, no sprinkler head activated. Heat and smoke damage were caused to both the school kitchen and main dining hall with ceilings, walls, floors, and stock being affected. Once extinguished, the fire service disconnected the unit from its power supply and removed the unit to the outside of the building to ensure no further damage could be caused. The school was closed for one day on the 19 October to allow for cleaning of the affected area.
23. The post fire investigation did not reveal any faults with the school kitchen electrical installation, and it is believed that it was an internal fault that had developed within the refrigeration unit. There being no combustible storage near to the affected unit also helped to ensure the fire did not develop. Having the school fire detection and warning system linked to the ARC via the security system ensured that the fire service was called at the earliest opportunity at a time when the premises were unoccupied. This along with the provision of the sprinkler system at the school would have prevented further damage had the fires spread from the unit where the fire started to adjoining equipment and storage.

North Lodge Chester - le - Street

24. At 08:15am on 29 October 2020 the crew and driver of the refuse carrying vehicle (RCV) NK67NHW became aware of light smoke and a smell of burning in the load of the hopper on the vehicle. The crew decided to drive to the waste transfer station (WTS) at Morrison Busty and the hot load was placed into the hot load bay. It was examined by the WTS supervisor who detected a smell of burning but no signs of fire. It was estimated that there were approximately two tonnes of rubbish and it was kept in the hot load bay for 4 days before it was taken away. The waste was examined to try and identify what was the cause of ignition but nothing was identified.
25. It would appear that the crew followed procedures of compacting the waste materials in the hopper of the vehicle has extinguished the fire by preventing oxygen getting to the seat of the fire and their prompt actions has prevented this from being a bigger fire which may have resulted in fire service intervention.

Morrison Busty Depot

26. It was reported on 18 November 2020 by the driver of an RCV it was showing an engine management fault with diesel particulate filter. As the vehicle was a hire vehicle a fitter was called to investigate further. Whilst looking into the engine management fault the fitter identified that a wiring harness located behind the cab and located near the engine was showing signs of heat damage. Prior to the engineer's inspection, the area involved was jet washed to provide a clean working environment for the engineer. The engineer stated that the fire had been caused by waste materials getting behind the packer plate and encountering hot engine parts. A subsequent inspection of the area behind the packer plate by the waste team leader identified enough waste materials to fill a 360Ltr waste bin.
27. It is unclear when the small fire took place as according to the Dennis Eagle engineer the wiring harness involved is not linked to the engine management system and was only noticed after the area was jet washed prior to inspection by the Dennis engineer. All driver/chargehands have been reminded of the requirement to clean the vehicles weekly and that this weekly task includes cleaning the area behind the packer plate.

Catchgate Primary School

28. It was reported that on 18 December at 11:40am two bulbs in a regeneration oven failed whilst lunch was being served to KS1 pupils in the dining hall and hot shards of glass and bulb filament fell onto the food below and burnt some holes in a tea towel that was below. Kitchen staff were in the area at the time and removed the tea towel. No pupils or staff were injured by the shards of hot glass as the design of the bulb fitting directed the shards down onto the vegetables and cake being kept warm in the servery. Following the incident, the regeneration oven in question has been inspected/tested by JBL Services Ltd and they have stated that the oven is fine, and no faults could be found with the oven. The bulbs have been replaced with lower wattage versions.

4 Tollgate Fields West Rainton

29. West Rainton Children's unit houses three young persons, the unit itself is fitted with a category L2 fire warning system in addition, risk rooms are fitted with fire doors and a minimum of two staff members are on duty. Staff members have been trained in the practical use of fire extinguishers. It was reported that on the evening of 27 December 2020 a member of staff had entered a young person's bedroom and could smell what seemed like struck matches. After searching the young person's bedroom, they found a box of matches and there was evidence they had used the matches to try and ignite some playing cards. Fortunately, the cards did not catch fire and only the card ends were scorched. It is believed that this is a one-off incident as the service user has exhibited no other fire setting behaviour while in the home and it is believed that young person involved had taken the matches from an unlocked cupboard in a shed at one the carers allotment earlier in the day and then brought them back to the home.
30. The risk assessments for the service user involved have been reviewed. An additional room search has been carried out in addition to the one that located the matches and no other ignition sources were found. A key work session has been completed with the young person with regards to fire safety/danger of fire. County Durham and Darlington Fire and rescue service have been contacted and a request made to have some intervention from the service regards the dangers of fire play for all young people at the unit.

Flat 7 Charles Dickens Lodge

31. Charles Dickens Lodge is an 'Extra Care scheme' premises, whereby the property is owned and maintained by Anchor Hanover Housing with a tenancy agreement in place for each resident. DCC Staff provide a 24-hour care service for the residents. It was reported that on 28 December a staff member entered the two-bedroom apartment which is occupied by an elderly couple and discovered a tea towel on top of the cooker hob which had all four rings turned on. The care worker removed the tea towel and turned off the hob.
32. A specialist care provider has been identified to provide respite care until a more permanent place for the couple can be found. In the interim period while they are still residing at Charles Dickens Lodge, only staff and the couple's daughter have access to use the cooking appliances.

Fire Inspections – County Durham and Darlington Fire and Rescue Service

33. There were 5 Fire and Rescue Service inspections of Council premises during Quarter three. These were at Lanchester EP Primary School, Bournmoor Primary School, Brandon Primary School, 9 Cedar Drive Residential Childrens Home Newton Aycliffe and Morrison Busty Depot.

The outcome of the inspections was that at Lanchester EP Primary and Bournmoor Primary there were minor deficiencies of current fire safety legislation and Brandon Primary, 9 Cedar and Morrison Busty were deemed to be broadly compliant with current fire safety legislation.

Enforcement Body Interventions & Significant Incidents

34. There were no formal HSE or CDDFRS enforcements interventions in Quarter three.
35. The HSE did contact the H&S team regarding the submission of an Occupational Disease Report being submitted for an employee with tendonitis, an overview of the individual's job role and clarification of content of occupational health report were forwarded. The HSE were satisfied with the information provided and control measures.
36. HSE inspectors undertook a range of COVID secure related inspections and assurance activities during this quarter. Five schools in the county were either visited by an inspector or contact made remotely regarding COVID related controls measures, including risk assessments. The outcome of these interventions was very positive and HSE inspectors found that COVID secure arrangements for school environments were compliant and risk assessments and associated procedures comprehensive and compliant with legislative requirements.

Open Water Safety

37. The City Safety Group (CSG) formed a student induction week multi agency subgroup, chaired by the Council Occupational Health and Safety Manager. This group focused on similar challenges to previous student induction weeks but also in addition to the risks regarding COVID 19.
38. Assurances were obtained from the University and colleges on how they were going to restrict movement of students during freshers week and ensure compliance with national guidance and legislation. Durham city policing teams and the council licensing enforcement team also made plans to assist with the control of activities in licensed premises and ensure that rules of six were being adhered to, subject to further guidance changes. Engagement visits by police and licensing officers were undertaken during the quarter to ensure that licensees were sure of their responsibilities and to clarify the government guidance and resolve any queries. Licensed premises risk assessments and COVID related control measures were also reviewed during the quarter to ensure that they supported the university students in maintaining safety and social distancing.
39. The University were undertaking a series of student related communication aimed at emphasis that students should remain in college bars and not be in gatherings of more than 6 people. There was also clear messaging regarding no formal fresher type events being held outside of the university itself. For those entering into town it was also being communicated what

the restrictions were outside of university areas. Also, key safety related messages as part of student induction were relayed in terms of personal safety, personal responsibility in relation to alcohol consumption/health effects, risks from becoming detached from social groups and the river corridor related hazards.

40. From a county wide water safety perspective, the open water safety group undertook a series of open water related safety communications and activities. In the absence of being able to deliver the dying to be cool cold water shock water safety campaign to schools throughout county durham, social media videos were created featuring the five year anniversary of the death of Cameron Gosling. Work was once again undertaken with Fiona Gosling, Cameron's mother, to record campaign videos, undertake media interviews, design, and deliver social media messaging. There were also arrangements made to erect posters and information cards at prominent open water locations across the county to highlight the dangers to those who may be entering into cold water.
41. The H&S team also undertook assurance auditing of higher risk destination parks and other open water related locations across the county to ensure that safety related control measures previously installed, remain in situ.

Employee Health and Wellbeing

42. The council has been awarded the better health at work award continuing excellence award submission following achievement of gold award status. This both recognises and awards our continued commitment and 'continued excellence' in addressing and improving workplace health and wellbeing
43. DCC proved that it has sustained the great work we have done to date whilst progressing through the award. The evidence submitted in support of this level of the award demonstrated significant work relating to staff mental health including our work around WMHD, TTT day, MH Awareness Week, staff wellbeing during COVID-19 (survey and focus groups) and the Power of 5. The assessor commented that is apparent that DCC has been proactive in its response to the rapid and enforced change to working conditions that have presented multiple challenges for all organisations but have presented a particular challenge for local authorities.
44. Further work and communications were undertaken during the quarter to provide employees with health and wellbeing related information and awareness to support them during the COVID 19 pandemic. The employee assistance programme was once again promoted along with other activities which support mental health and wellbeing. A new health and wellbeing portal is being constructed and will enable improved access to support and guidance.

45. Occupational Health Service (OHS) also continued to deliver employee related management referral services during the quarter and supported managers during the process.

Occupational Health Service

46. The OHS team continues to attend the OH department with a covid 19 risk assessment in place to enable us to deliver essential OH services including immunisations, inoculation injury follow-up which includes a blood test, physiotherapy, drivers medicals and statutory health surveillance. A return to the OH department has also allowed the management of paper records which includes pension applications and processing confidential post. Staff are attending the department on a rota basis to allow social distancing to be maintained whilst the remaining staff continue to work from home.

Management Referrals

47. During Quarter 3, 228 employees participated in clinical consultations with the OHS, following management referral in relation to Long Term Sickness Absence (LTSA), Short Term Sickness Absence (STSA), Management Concerns (Man Con) Reviews, and Re referral appointments, Long Term Sickness Absence/Short Term Sickness Absence (LTSA/STSA)

Chart 1

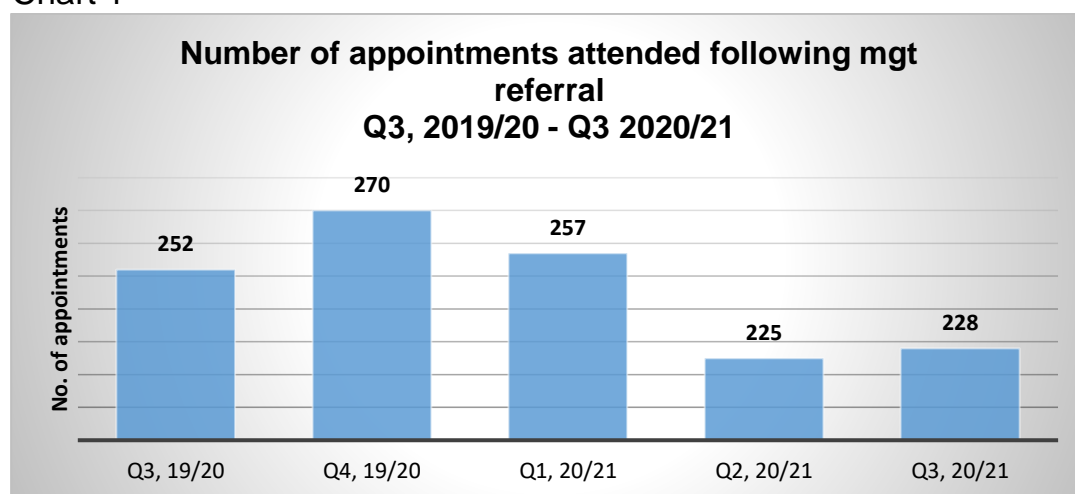
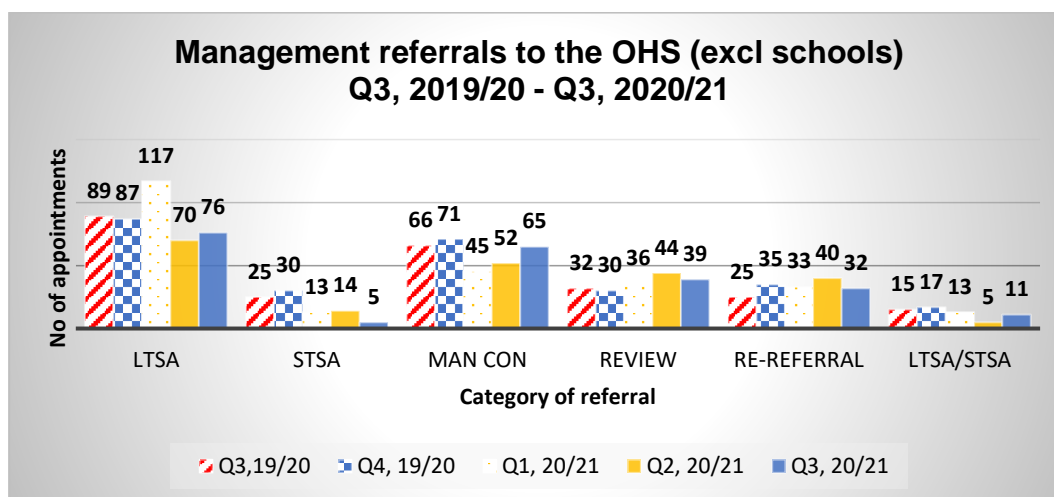


Chart 2 shows the categorisation of management referral appointments attended.

Chart 2



Support Services

48. During Quarter 3, the OHS provided the following additional support services. See Table 1.

Table 1

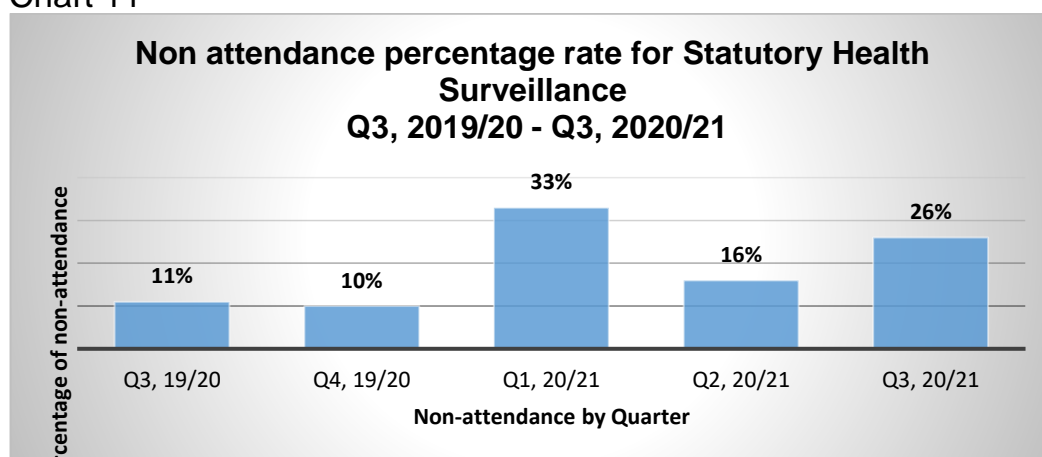
| Additional Support services accessed via the OHS | A&H S | CYP S | NCC | REG | Res | CM | Service not detailed | Q3 20/21 Total | Q2 20/21 Total | Q1 20/21 Total | Q4, 19/20 Total | Q3, 19/20 Total |
|--|-------|-------|-----|-----|-----|----|----------------------|----------------|----------------|----------------|-----------------|-----------------|
| Number of routine physiotherapy referrals | 2 | 4 | 5 | 4 | 6 | 0 | - | 21 | 27 | 29 | 28 | 34 |
| Number of routine physiotherapy sessions | 8 | 15 | 34 | 32 | 20 | 0 | - | 109 | 110 | 89 | 102 | 117 |
| Number of 'face to face' counselling referrals | 0 | 0 | 0 | 0 | 0 | 0 | - | 0 | 0 | 1 | 20 | 14 |
| Number of 'face to face' counselling sessions | 0 | 0 | 0 | 0 | 0 | 0 | - | 0 | 0 | 37 | 43 | 28 |
| Total number of calls to the EAP | 17 | 46 | 8 | 8 | 24 | 1 | 31 | 135 | 121 | 29 | 91 | 111 |
| Telephone EAP structured counselling cases | 1 | 5 | 1 | 1 | 1 | 0 | 2 | 11 | 8 | 6 | 9 | 50 |
| Telephone EAP structured counselling sessions | 10 | 17 | 4 | 6 | 6 | 0 | 9 | 52 | 33 | 29 | 70 | 63 |

49. Routine physiotherapy clinics run one day per week in the OHS at County Hall under contract with the OHS, currently during COVID the clinics are a combination of telephone assessments, assessments carried out by video link and face to face physiotherapy appointments, should following the physiotherapy initial assessment by telephone the physiotherapist deem this to be clinically required. At the time of preparing this report (14/02/2021) the waiting time for an initial assessment is 9 working days. The OHS will continue to monitor this waiting time and report to this group.

Health Surveillance

50. The Occupational Health Service (OHS) has continued to provide Statutory Health Surveillance programmes remotely to employees during the pandemic in line with the guidelines issued by the HSE in relation to health surveillance. The guidelines were updated on 4th January 2021 and allows for audiometry to be deferred for up to 12 months including any previous deferment. Plans for face to face audiometry to resume are currently delayed due to the increase in COVID cases, however, to meet the HSE guidelines face to face audiometry the OHS plan to recommence health surveillance for noise in early March 2021. A risk assessment has been carried out which includes extra time between appointments to allow for cleaning and ventilation of the room, testing outside of the hearing booth, a Perspex screen between the employee and the nurse, appropriate PPE, and hand hygiene.
51. During Quarter 3, 26% (n=5) employees failed to attend their appointment with the OHS in relation to statutory health surveillance. See Chart 11.

Chart 11



Immunisation

52. During Q3 despite the current pandemic the OHS have continued to provide Hepatitis B immunisation to employees who were on the programme administering a total of 49 vaccines. Due to shortages of the vaccine for over 2 years there is a waiting list of employees who have

been employed by DCC and their job role has been identified via risk assessment as requiring an offer of Hepatitis B immunisation, the OHS have made significant progress in reducing the waiting list and are continuing to send offer letters to this group of employees and anticipate that this will be an ongoing process.

53. The Occupational Health Service delivered onsite flu vaccinations to employees who routinely provide up close and personal care to clients who are at risk of the complications of flu and provided additional clinics in the OHS, administering 500 flu vaccines during November and December 2020.

Covid response

54. During the restrictions in place due to the coronavirus outbreak the OHS have continued to provide Occupational Health provision to DCC and external contracts. This has been done remotely when possible and in line with guidance from the HSE, DVLA, Faculty of Occupational Medicine and the NHS.
55. The OHS has continued to facilitate covid testing for employees, elected members and their families liaising with public health and HR colleagues to achieve an efficient service. The number of referrals for covid testing has gradually reduced during Q3 which is likely to be due to the increased availability of efficient covid testing via the 119 route.
56. The OHS have provided advice to managers via management referral specifically relating to employees with health conditions and working during the covid pandemic.
57. The OHS have also provided advice to managers and employees via email and telephone on a variety of covid related matters. (See Table 2)

Table 2

| COVID-19 Activity Data Q3, 2020/21 | | | |
|--|------------------|--------------|--------------|
| Email/Telephone Queries relating to COVID | Clinician | Admin | Total |
| DCC | 257 | 54 | 311 |
| Schools | 126 | 30 | 156 |
| Academies | 0 | 0 | 0 |
| Total | 383 | 84 | 467 |

| Screened | DCC (inc elected members) | Schools | Academies | Total |
|--|----------------------------------|----------------|------------------|--------------|
| Total Screened | 211 | 128 | 0 | 339 |
| Of which referred for testing: | | | | |
| <i>Employees referred for testing</i> | 78 | 35 | 0 | 113 |
| <i>Household members referred for testing</i> | 5 | 2 | 0 | 7 |
| COVID-19 related referrals to OHS | DCC | Schools | Academies | Total |
| Total referrals | 13 | 2 | 0 | 15 |
| Fast -tracked pre-employments | 0 | 0 | 0 | 0 |
| Email/telephone Queries relating to COVID | 311 | 156 | 0 | 467 |
| Total number of contacts relating to Covid response | 535 | 286 | 0 | 821 |

Violence and Aggression – Potentially Violent Persons Register (PVPR)

58. At the close of Quarter three 2020/21, there were 83 live entries on the PVPR register. The 12 month rolling figures for PVPR live entries are as follows:

| Year | Quarter | PVPR live entries |
|---------|---------|-------------------|
| 2020/21 | 1 | 83 |
| 2020/21 | 2 | 83 |
| 2020/21 | 3 | 62 |
| 2019/20 | 4 | 91 |

| | |
|--------------------------------|----|
| Number of Live Records | 62 |
| Number of Additions | 4 |
| Number of Removals | 12 |
| Number of Warning Letters Sent | 2 |
| Number of PVPR Appeals | 0 |

59. Breakdown by service of PVPR views in the last quarter is as follows:

- CYPS - 42 viewed 50 times
- AHS - 56 viewed 83 times
- N&CC – 46 viewed 79 times
- REG - 65 viewed 335 times
- RES - 35 viewed 177 times
- Members- 1 viewed 1 time

Corporate risks that may have an impact on Health and Safety

60. The below tables detail the Corporate risk that may have an impact on Health and Safety at beginning of 2021.

Health and Safety Related Strategic Risks Jan 2021

| Ref | Service | Risk | Treatment |
|-----|---------|---|---------------------------------------|
| 1 | AHS | Failure/inability to respond to and recover from the COVID-19 pandemic, leading to high levels of staff absence, overwhelming pressure on services, and impacts on the safety and wellbeing of the wider community and economy. | Treat |
| 2 | CYPS | Failure to protect a child from death or serious harm (where service failure is a factor or issue) | Treat |
| 3 | REG | Serious injury or loss of life due to Safeguarding failure (Transport Service) | Existing controls considered adequate |
| 4 | AHS | Failure to protect a vulnerable adult from death or serious harm (where service failure is a factor or issue). | Treat |
| 5 | NCC | Breach of duty under Civil Contingencies Act by failing to prepare for, respond to and recover from a major incident, leading to a civil emergency. | Existing controls considered adequate |
| 6 | RES | Serious breach of Health and Safety Legislation | Existing controls considered adequate |
| 7 | REAL | Potential serious injury or loss of life due to the Council failing to meet its statutory, regulatory, and best practice responsibilities for property and land. | Treat |
| 8 | RES | Potential violence and aggression towards members and employees from members of the public | Existing controls considered adequate |
| 9 | NCC | Demand pressures on the Community Protection inspections and interventions arising from the COVID-19 pandemic and a potential Brexit may lead to an adverse impact on public health and safety in Co Durham. | Treat |

Statistical Information

61. The H&S team in conjunction with service H&S providers continue to record, monitor, and review work related accidents, incidents, and ill health. This data is captured through internal reporting procedures and the Corporate H&S Accident Recording Database (HASARD). It is important to note that when setting future performance targets this data should be utilised.

Main implications

Legal

62. Compliance with statutory legislative requirements reduce risks of enforcement action and/or prosecution against the council or individuals. It will also assist in defending civil claims against the council from employees and members of the public, including service users.

Finance

63. Compliance with legislative requirements will reduce increased service delivery costs, financial penalties associated with H&S sentencing guidelines 2016 and successful civil claims against the council. Financial costs may be insured to some degree and uninsured in some cases, with poor outcomes possibly leading to increased insurance premiums. Financial implications also include staff absence associated with physical and mental ill health, staff training, retention, recruitment, and productivity.

Staffing

64. In relation to impact on staffing due to employee absence from injury or ill health, attendance management, employee complaints and grievances, recruitment, selection and retention of employees.

Conclusions

65. Changes to government COVID restrictions during this period resulted in further demands for new and revised risk assessments, employee support and COVID testing. Nevertheless, both H&S and OHS services continue to provide timely and effective COVID related advice and support, in addition to standard other core statutory requirements.
66. It was very positive that an external enforcement agency inspected the COVID secure arrangements within schools and provided positive feedback on control measures to reduce transmission risks. Assurance was also provided on the extensive work on risk assessments and the preparations for the return of schools in the autumn term.
67. Employees continued to be supported by OHS in terms of the ability to arrange a COVID test via CDDFT following initial screening. This again

proved successful with tests being arranged and results returned in most cases in under 48 hours.

68. Audit outcomes were positive in relation to compliance with COVID secure requirements for premises. Despite the positive outcome there were still areas for improvement identified which have been actioned in order to further enhance control measures.
69. Despite a small increase in the overall numbers of accidents during this quarter there was a reduction in the number of RIDDOR reportable accidents. RIDDOR reportable accidents are reflective of front line, higher risk services still operating despite the pandemic.
70. It was positive that employees were continuing to utilise the OHS internal COVID testing service and there were again high number of requests for tests and also general support and advice regarding COVID.

Other useful documents

71. Occupational Health quarter 3 2020/21 Report
72. Health, Safety and Wellbeing statistical quarter 3 2020/21 report

Appendix 1: Implications

Legal Implications - Failure to comply with statutory legislative requirements may result in enforcement action and/or prosecution against the council or individuals. There are risks from civil claims against the council from employees and members of the public, including service users.

Finance – Failure to comply with statutory legislative requirements may result in enforcement action, including prosecution against the council or individuals. These enforcement actions may result in increased service delivery costs, financial penalties associated with H&S sentencing guidelines 2016 and successful civil claims against the council. Financial costs may be insured to some degree and uninsured in some cases, with poor outcomes possibly leading to increased insurance premiums.

Consultation - Service Grouping strategic managers and operational management staff have been consulted in the preparation of this report.

Equality and Diversity / Public Sector Equality Duty - Equality Act compliance ensures consistency in what the council and its employees need to do to make their workplaces a fair environment and workplace reasonable adjustments are required.

Climate change- None

Human Rights - The right to a safe work environment, enshrined in Article 7 of the International Covenant on Economic, Social and Cultural Rights, links with numerous human rights, including the right to physical and mental health and well-being and the right to life.

Crime and Disorder – None.

Staffing – Potential impact on staffing levels due to injury and ill health related absence, staff retention and replacement staff.

Accommodation – The report references H&S related risks associated with workplaces some of which may have impact on accommodation design and provision of safety systems and features.

Risk – This report considers physical and psychological risks to employees, service users and members of the public. Risks also relate to the failure to comply with statutory legislative requirements, which may result in civil action being brought against the council and enforcement action, including prosecution against the council or individuals. These enforcement actions may result in financial penalties, loss of reputation and reduction in business continuity.